

Constitution and By-Laws
Of The
Milmay Volunteer Fire Company #4
Constitution

ARTICLE I - Name and Origins

This organization shall be named and known as the Milmay Volunteer Fire Company, of Milmay, New Jersey, 08340, Founded April 13, 1943; Incorporated August 15, 1943, under the laws of the State of New Jersey. It will be referred to as the "Company, and MVFC" for the purpose of this text.

ARTICLE II - Objective

The objective of this organization shall be the preservation and protection of property and lives from and during such fires as may occur in Fire District No. 4, Milmay, Buena Vista Township, County of Atlantic, State of New Jersey. The Company shall also render assistance to other districts upon request. MVFC shall also protect the town of Milmay roadways in cases of vehicular accidents and be of assistant to the Forest Fire service as may be requested.

ARTICLE III - Membership

There shall be five classes of membership in this organization: Honorary Life, Exempt, Active, Jr., and Auxiliary. Membership applications will be available to any person wishing to apply for membership with MVFC. Each classification will have a detailed explanation of all rights and requirements pertaining to its class and it is the duty of these By-Laws to uphold these rights and requirements.

Section 1 - Honorary Life Membership

Any citizen of good moral character, or organization, who has rendered exceptional service to the fire company or community, or has served 25 years of active service, may upon motion from a quorum of active membership, receive a resolution stating the exceptional service rendered. They shall be elected by a 3/4 majority present to honorary life membership in the Company with all rights and privileges pertaining thereto. For any quorum to be heard there shall be an understanding of qualifications to be met to receive the status of Honorary Life membership.

Rights and Privileges pertaining to Honorary Life Members.

1. Invention to all MVFC events.
2. All rights and Privileges of active Members except voting.

Section 2 - Active Membership

Any citizen of good moral character, that is 18 years of age or older, who upon submitting all required certifications, may upon receiving a 3/4 majority vote, of those members present, be elected to probationary active membership.

Requirements for Active Membership.

1. 18 years of age.
2. A valid drivers license.
3. For Active Members not yet certified as firefighters one must be enrolled within one year of election with satisfactory completion within two years from date of enrollment, of an approved Fire Fighter 1 course. Postponement of this due to family or work situations may be granted after a review and vote by the line officers.
 - a. Failure to meet this requirement will cause the member to become an Auxiliary Member. (See below Auxiliary Membership)
4. Completion of all Mandatory Certifications established by MVFC for Active Membership. These include...
 - a. Physical
 - b. Fit Test
 - c. CPR
 - d. NFPA and OSHA Required Training.
 - e. See all required Training and Certifications, (Drills Article VII)
5. For Active Members they must live or work within five miles of the Company station.
 - a. If a member was to move from the five mile radius of MVFC they would be moved to Auxiliary Membership and would be under the laws pertaining to that class. (See below for Auxiliary Membership)
 - b. Depending on the circumstances their membership will be completely revoked and all gear must be returned to the fire company.
 - c. It will be the Duty of the Line officers to determine if the membership should be revoked or placed on to a Auxiliary Membership.
6. Have a combined attendance record of fifty percent or more of all regularly scheduled meetings and drills over the course of the fiscal year.
 - a. The only exception to attendance that will stand is for a paid firefighter. If any member of MVFC is an active duty paid firefighter they shall be exempt for all drills, yet are still encouraged to attend. (See Exemptions and Drills Articles VII)

7. After all the above conditions have been met in good faith, the candidate upon recommendation of the Chief and Line Officers, shall be admitted to the active rolls with all rights, privileges, and conditions pertaining thereto.
 - a. If an active member fails to meet any of the above requirements on a yearly basis, they will be moved to an Auxiliary Member Status.
 - b. If a member loses their Active Status and becomes an Auxiliary Member, upon completion of any needed certification, they can be reinstated for Active Membership Status within the next monthly meeting, (See Meetings Topics Article VII).

Rights, and Privileges for Active Membership

1. All Active Members will have voting rights on all matters taking place within the Monthly meetings of MVFC.
2. All Active Members will have permission to use the Hall and Lounge of MVFC and all items pertaining to it free of charge.

Section 3 - JR Member

Qualifications, Rights, Privileges, and Limitations

1. Any reputable person between the ages of 16 and 18 years inclusive may become a junior member of the Company.
2. Junior members shall be proposed and voted on with $\frac{3}{4}$ majority to be elected into MVFC, after completion of a JR Firefighter Application has been submitted.
3. Junior members may attend all drills, meetings and work parties.
4. Junior members must be in full turnout gear on fire grounds.
5. Junior Firefighter must remain next to an officer while on the fireground and must follow their instruction.
6. Junior Firefighters are not allowed to wander a fire scene or leave early without the permission of the commanding officer.
7. Junior members are not eligible for any office or voting privileges in the Company.
8. Junior Members will have permission to use the Hall and Lounge of MVFC and all items pertaining to it free of charge when given permission by the Chief.
9. Failure to follow any By-Laws by a Junior Member will allow the Chief to revoke their membership if necessary.

Section 4 - Auxiliary

Auxiliary members shall be any person above the age of 18 that wish to be involved in MVFC. In addition, an Auxiliary Member shall be any active member who after a year, without just cause, fails to attend at least fifty percent of meetings and or drills, shall automatically cease to be an active member and be notified by the Secretary of Auxiliary

Status. Additionally, if any member fails to maintain the required certifications required within a year without just cause to the Chief, shall be moved to an Auxiliary Status. If an Auxiliary member has no activity for one year, a vote will be taken by the Line Officers, President and Vice President to determine if the member will be able to continue with the Company or be dismissed. If a member is dismissed, all Company issued equipment shall be turned over to the Company immediately.

Auxiliary Qualifications

1. Has filled out an application with MVFC.
2. Has read and agreed to the By-Laws laid out to Auxiliary Members of MVFC.
3. There shall be no limitations as to where an Auxiliary member is from. It is the understanding of these By-Laws that these persons desire to help and be of assistance to MVFC where they can.
4. Has been brought up in a meeting and been voted on by the Company with a ¾ majority vote.

Rights, Privileges and Limitations of Auxiliary Members

1. There will be no voting rights for an Auxiliary Member.
2. If an active member is placed down to Auxiliary his voting rights are suspended.
3. Auxiliary Members will be permitted to use MVFC Hall and Items free of charge.
4. For any call that is to another County No Auxiliary Member will be allowed to ride in the fire apparatus. These members are also not to respond to the fireground scene in their personnel vehicle.
 - a. They are permitted to respond to the firehouse and partake with any actions that may take place after a truck has returned from a call. These members will be given full credit for showing effort to respond and be of assistance.

Section 5-Exempt Members

Exempt members shall consist of such Active Members having served a performed 50% active duty per year for seven years. Exempt Members shall be exempt from all fires and drills (except exempts who are carried on the roll as Active Members) but are subject to call at any time for active duty by the Chief or Line Officers. Exempt Members may hold any Executive office position and Line Officer positions if carried on the rolls as an Active Member.

ARTICLE IV - MVFC Administrative Positions and Chain of Command

The MVFC Administrative Positions of this organization shall consist of a President, Vice President, Recording Secretary, Treasurer. Chain of Command for in the firehouse and on the fireground shall be, Chief of Department, Assistant Chief, Captain, and 1st Lieutenant. All of the

above Administrative Positions and Chain of Command Ranks shall be elected every year to serve for a term of one year, with expectation to the Chief which shall serve a two year term.

Terms and Additional Positions

1. Each position shall serve a 1-year term and go before election each year in December with nominations for the position being held one month before at the November Meeting. (See Meeting Article VII)
 - a. The Chief along with the counsel of his officers shall be permitted to establish other offices of need within the company if need be.

ARTICLE V - Duties and Descriptions

1. President

- a. It shall be the duty of the President to preside at all meetings of the Company, sign all orders drawn upon the Treasurer. The President must carefully facilitate and monitor the meetings in regard to the other offices held. The President shall also hear all Motions to be made in a meeting and allow for any opposition to be had if necessary. If the President feels fit he may call for a vote to be held to pass a Motion. With each office the President must uphold the By-Laws listed out for each of the other offices. The President shall appoint all committees within the company. Shall have the power to cast the deciding vote upon all matters before the organization whenever a tie vote occurs. Shall have the power to call special meetings of the Company when occasion may arise and shall have the power to call meetings of the Commissioners whenever he deems it necessary. He shall also be the ex-officio member of all committees. He shall also have the power to dismiss committees as a whole or in part, through failure or inability to properly transact the business for which they are appointed. The president is also to be the voice of the Company to represent the company at all events. The President is to monitor the MVFC building and to facilitate all needs that may be required of the building that may arise. The President is encouraged yet not required to attend Commissioner meetings to be able to help orchestrate the needs of MVFC to the commissioners.

b. Vice President

- i. The Vice President shall render to the President such assistance as may be required and in the absence of the President, shall preside at meetings and perform all other duties of the President.

2. Secretary

- a. It shall be the duty of the Secretary to keep correct minutes of the meetings of the Company and all monies received. Shall notify all members of all special meetings. Shall call the roll of Active Members at each meeting. In the

Secretary's absence, the roll and minutes shall be kept by a member of the Secretary's choice. It is expected that the Secretary informs their assistant prior to being absent and provides all necessary information and documents needed to perform the duties. The secretary shall email all meeting minutes to the members prior before holding a monthly meeting.

3. Treasurer

- a. It shall be the duty of the Treasurer to collect all monies stated to the Secretary which funds they shall keep in safe custody. The Treasure shall keep running accurate records of all funds that run through MVFC. At each monthly meeting it is the duty of the Treasure to pay any bills that are presented in the meeting. If the Treasure is unable to make a meeting, they are not permitted to have a replacement. The Treasure is expected to work with the President and the Secretary if they are to possibly be absent from a meeting. In the case that the Treasure is to be absent, the president will have to determine if the meeting may continue as scheduled or if it must be postponed to a later date.

4. Chief

- a. The Chief is elected by the Active Members, and it shall be the duty of the Chief to have charge of and be responsible for all fire equipment. The Chief is expected to be present at all fires if possible and to plan and direct the methods and means of combating fire. He shall be in command and have full control of the Department while on duty and all other occasions. Orders given by him shall be implicitly obeyed. He shall make recommendations on Auxiliary members to gain placement as Active Members. The Chief shall appoint the Training Officer, Truck Engineering Officer, Equipment Officer, Safety Officer, or other such positions as deemed necessary for the efficient operation of the Company. The Chief is also expected to hold the accountability of all members of MVFC. This includes roles given to his ranking officers below. The Chief shall also have the authority to appoint additional positions of need such as Training Officer, Equipment Officer, Safety Officer, Truck Engineer. It is the duty of the Chief to monitor, direct and control these additional positions. Any State Laws pertaining these positions shall be known and followed by the Chief when appointing members.

5. Assistant Chief

1. It Shall be the duty of the Assistant Chief to render aid to the Chief. It shall also be the duty of the Assistant Chief to assume command in absence of the Chief and perform his duties. Any fire ground Scene where a Safety Officer is already established it shall be the duty of the Assistant Chief to determine this and to help establish the accountability of MVFC firefighters. On any

fireground scene where a Safety Officer is not established, the Assistant Chief is to assume the Safety Officer Role and maintain accountability of MVFC firefighters.

6. Captain

- a. It shall be the duty of the Captain to be in command after the Chief followed by the Assistant Chief. They shall instruct firefighters on the fire ground scene and while on the fire apparatus. It shall also be the duty of Captain to assume the Safety Officer Role, if the assistant Chief is not on the Fireground scene. They are to collect MVFC firefighter Accountability Tags and be accountable for MVFC members when on the fireground. On any fire ground Scene where a Safety Officer is already established it shall be the duty of the Assistant Chief and or the Captain to determine this and to help establish the accountability of MVFC firefighters. They are to assist the Chief in command with facilitating the actions of the fireground as needed. If command assistance is not required, they are to assist with the direction of the firefighters on the fireground scene. The Captain is to always monitor and observe each of the firefighters to help maintain safety and order on the fireground. The Captain is expected to understand and monitor the radio communication while on the fireground. It is the responsibility of the Captain to see that orders from command on the fireground are carried out efficiently and effectively in a safe and professional manner.

7. 1st Lieutenant

- a. It Shall be the duty of the 1st Lieutenant to be in Command if the Chief, Assistant Chief, and Captain are not present on the fireground scene. The 1st Lieutenant shall monitor all firefighters on the fire ground and observe them for accountability and safety. The 1st Lieutenant shall direct the firefighters as command directs actions on a fireground scene. The 1st Lieutenant is expected to understand and monitor the radio communication while on the fireground. It is the responsibility of the 1st Lieutenant to see that orders from command on the fireground are carried out efficiently and effectively in a safe and professional manner.

MVFC Officers Qualifications and Limitations

1. Line Officers, Chief, Assistant Chief, Captain, and 1st Lieutenant, shall meet the requirements set forth by the Division of Fire Safety and any other regulations to hold a line officer position beyond the basic requirements for active membership to be nominated for this position. The active Chief or Assistant Chief are not eligible to be a Commissioner, President or Vice-President of the MVFC. Also, the active President or Vice-President are not eligible to be a Commissioner, Chief or Assistant Chief of the MVFC

Article VI - Commissioners

The Commissioners shall follow the laws, guidelines and financial structure outlined by the State of New Jersey in the forming and maintaining of Buena Vista Township Fire District No. 4.

It shall be the duty of the Commissioners to take charge of the property of the Company and see that it is properly taken care of. They shall have power to transact all business which may come up from time to time between the dates of the regular meetings and for which it is not deemed necessary to call special meetings of the Company.

The Commissioners shall receive complaints and consider all reasons why any applicant for membership should not be entitled to consideration before this Company and shall have full power to decide whether such is of importance to be brought before the meeting, at which such applicant for membership is to be voted upon.

They shall receive and consider all charges against the attitude or conduct of any member of the Company, which shall have been considered detrimental to the general welfare of the Company and shall have full power to decide whether the same is of sufficient importance to be brought before the meeting and shall recommend disciplinary action.

They shall receive and pass upon all excuses given. They shall meet at call and at each meeting a majority of the members shall constitute a quorum for the transaction of business and a majority of the entire Board shall rule.

Article VII - By-Laws

1. Meetings

- a. The day and time of Regular monthly meetings of this Company shall be voted on and scheduled at the annual meeting in January.
- b. Five Active Members shall constitute a quorum for the transaction of business.
- c. Members coming in late after the roll call shall report themselves to the Secretary or be marked absent. As a deterrent to those who may continually arrive late, if a member consistently arrives late three meetings in a row, they shall not receive attendance on the third time.
- d. The Recording Secretary shall notify all members of any proposed special meeting at least twenty-four hours before the time named for such meeting, and no other business shall be transacted at this meeting.
- e. There shall be an annual meeting each year in January.
 - i. This meeting will introduce new elected positions.
 - ii. Read yearly reports.
 - iii. Make agendas.

iv. Review progress and hurdles within the Company.

2. Structure of Meetings

- a. Flag Salute
- b. Prayer
- c. Roll Call
- d. Reading of the Minutes
- e. Treasure Report
- f. Presentation and Payments of Bills
- g. Correspondence
- h. Committee Reports
- i. Training Officer Report
- j. Chiefs Report
- k. Old Business
- l. New Business
- m. New Members
- n. Good of the Order
- o. Next Meeting
- p. Adjournment

3. Meeting Committees

- a. At any meeting any Active Member may call to form a new committee within MVFC.
 - i. To form a committee there must be...
 1. An explanation of plans for the committee.
 2. A Second nomination to form the committee.
 3. No opposition of the committee.
 - a. If there is opposition to the committee the President must call for a vote to be had to pass the committee.
 - b. A $\frac{3}{4}$ majority vote must be had to pass a committee into effect within MVFC.
- b. The President of the Company is responsible for maintaining the progress and focus of the Committees formed.
- c. At any meeting if the president feels that the committee is unable to perform the proposed purpose for the committee the President may dismiss the committee, and all actions and personal involved will have to end all operations.

4. Meeting Motions

- a. At any meeting any Active Member may request a Motion to be made, after explanation for the Motion.
- b. Motions may consist of any idea or objective that has some benefit to MVFC.
- c. For a Motion to pass it must first be Purposed by an Active Member and receive a Second.

- d. The President must call for a vote to be heard for the Motion.
 - i. To pass the Motion by vote there must be a majority favor for the proposed motion.
 - ii. If a tie vote is had the President shall cast the deciding vote.

5. Drills

- a. This Company shall have a minimum of twelve drills every year at the call of the Chief and or Training Officer. These 12 drills may or may not pertain to the mandatory drills and training set forth by the State Fire Commission. Any Mandatory drills may require there to be more drills on none scheduled drill nights.
- b. At each Drill or training event the Chief or the Training Officer must keep a record of all Active Members that were in attendance.
- c. No member will be given credit for a Drill if they leave early without permission from the Chief or Training Officer.
- d. Any member that arrives late to a drill needs to check in with the Training officer or Chief to receive credit for that drill.

6. Elections - The monthly meeting in January shall be the Annual Meeting at which time, officers and administrative positions as prescribed by the Constitution and who have been regularly nominated and elected at the proceeding meetings, shall take full responsibility of their duties as described in these By-Laws. The officers thus elected shall assume their respective offices on January 1st of the new year.

- a. Nominations for Elections shall be heard at the November Meeting.
- b. Nominations can be made by any Active Member for another Active Member.
 - i. No members may nominate themselves for the position.
 - ii. Any member nominated may deny the position if desired.
- c. Nominations will be opened again at the December meeting. After nominations are closed, elections will take place.
 - i. Votes may be yay, nay or abstain.
 - ii. Nominations must be elected with a majority vote.
 - iii. Offices shall be filled January 1st.
 - 1. Before January 1st any newly elected position will work with the past years elected offices and be under their supervision until January 1st.
- d. At the Election Meeting in December there shall also be an annual report of the Recording Secretary, and the Treasurer given before elections take place.

7. Applications

- a. All applications for membership shall be in writing on forms provided by the Secretary or Chief. The Secretary or Chief shall read the application at the regular monthly meeting, and it shall be held for one Month for consideration at the next regular monthly meeting. Upon presentation of a motion, a vote shall be taken and

a 3/4 majority the applicant shall be voted into MVFC as a member according to the application filed.

- b. All classes of membership but for Honorary Life Membership shall be required to file an Application of Membership.
- c. Honorary Life Membership must be proposed by an Active Member and Voted upon in a Monthly meeting.

8. Responding

- a. Upon the response to a call it shall be the duty of every active member to respond and remain under the command of the officers in charge until the services of the Company are no longer needed. Firefighters shall assist in taking the apparatus from the Fire House and doing any necessary work in reloading trucks, etc., and remain until dismissed, by the officer in charge.

9. Suspensions

- a. Any officer or member refusing or neglecting to obey any order of his superior, may be immediately suspended by the Chief and then referred to the Commissioners on return to quarters, and may be expelled by action of the Commissioners at its next meeting.
- b. Any officer or member leaving the fire grounds without being excused by the officer in charge shall be suspended until their case shall be brought before the Commissioners for official action.
- c. Any member entering the premises of the Fire Company and damaging or defacing any of its property or committing any nuisance on or about the same shall be fined by the Commissioners for the first offense and for the second offense his name shall be stricken from the roll of members. Any member neglecting or refusing to pay any fine shall be notified by the Secretary, and if not paid within thirty days may be expelled from the Company at the next meeting by a majority vote of the members present.

10. Probation

- a. Any newly elected member will serve a one year probation period.
 - i. At the completion of one year probation and review of the members activity they shall be brought before a monthly meeting to be voted in with a 3/4 majority for full membership.

11. SOPs/SOGs

- a. Company members shall follow all issued SOP's (Standard Operating Procedures) which are listed separately from this Constitution and By-Laws. In addition there shall be SOG's (Standard Operating Guidelines) for more basic items to give awareness to all members at any time or in need of a reminder.
- b. MVFC's SOP's which are listed separately from this Constitution and By-Laws and SOG's shall be reviewed every 3 years, minimally.

12. Clarifications

- a. Pleading ignorance of the By-Laws shall be no excuse for violation of these By-Laws.
 - i. In case any questions shall arise as to the true intent and meaning of these By-Laws, it shall be discussed at a monthly meeting and decided by $\frac{3}{4}$ majority of the votes present and so entered in the minutes as an established rule.
 - ii. Any member wishing to alter, amend or add to the by-laws of this company shall give notice of the same in writing. Upon review of the By-Laws Review Committee any changes shall be read at three consecutive monthly meetings and after the third reading the active membership present will vote and $\frac{3}{4}$ will approve or disapprove any changes.

13. Closing

- a. All laws heretofore existing for the regulation of this Company with all precedents, other than the foregoing are annulled from this date.

Revised and Amended January 8, 2024

(Originally Adopted May 12, 1976)